



AMENDMENT UNDER 37 C.F.R. § 1.111  
Examining Group 1625  
Patent Application  
Docket No. TPIP039  
Serial No. 10/820,382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Celia C. Chang  
Art Unit : 1625  
Applicants : Matthew Peterson, Mark Oliveira  
Serial No. : 10/820,382  
Filed : April 8, 2004  
Confirm. No. : 8458  
For : Gabapentin Compositions

*filed processed*

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. §1.111

A Petition and fee for a one-month Extension of Time through and including August 28, 2005, accompanies this Amendment.

In response to the Office Action dated April 28, 2005, please amend the above-identified application as follows:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that under 37 CFR §1.10 that this correspondence is being deposited on August 23, 2005 with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kristin Miele  
Kristin Miele

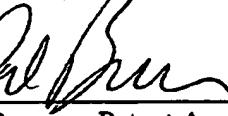
compounds and compositions with any reasonable expectation of success. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing remarks and amendments to the claims, the applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 50-2626.

The applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

By:   
Paul Burgess, Patent Agent  
Reg. No. 53,852

August 23, 2005  
Transform Pharmaceuticals, Inc.  
29 Hartwell Avenue  
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Attachment: Davies publication (*The Pharmaceutical Journal*, 2001, 266:322-323)

United States Patent and Trademark Office  
- Sales Receipt -

09/09/2005 CBETANCO 00000003 502626 10820382

01 FC:2201 400.00 DA  
02 FC:2202 475.00 DA

PATENT APPLICATION FEE DETERMINATION RECORD  
Effective October 1, 2003

Application or Docket Number

10 820382

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

TOTAL CLAIMS	21	
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	21 minus 20=	1
INDEPENDENT CLAIMS	-7 minus 3=	4
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

\* If the difference in column 1 is less than zero, enter "0" in column 2

CLAIMS AS AMENDED - PART II

8-23-05

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			MINUS	=
Total	40	Minus	21	19
Independent	11	Minus	7	4
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>	

SMALL ENTITY  
TYPE

OTHER THAN  
OR SMALL ENTITY

RATE	FEES	RATE	FEES
BASIC FEE	385.00	OR BASIC FEE	770.00
XS 9=	9	OR XS18=	
X43=	172	OR X86=	
+145=		OR +290=	
TOTAL	566	OR TOTAL	

OTHER THAN  
SMALL ENTITY OR SMALL ENTITY

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
25		XS18=	
XS 9=	475.00	OR X86=	
100.00		OR +290=	
X43=	400.00	TOTAL ADDIT. FEE	875.00
+145=		OR TOTAL ADDIT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			MINUS	=
Total	Minus			
Independent	Minus			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>	

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
XS 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			MINUS	=
Total	Minus			
Independent	Minus			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>	

RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
XS 9=		XS18=	
X43=		X86=	
+145=		+290=	
TOTAL ADDIT. FEE		TOTAL ADDIT. FEE	

- \* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
  - If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
  - If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."
- The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.